

18.07.2023
ML. 102
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2497 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Murutia** P.S. Case No. **69 of 2023** dated **22.03.2023** under Sections **498A/302/34** of the IPC pending before the learned ACJM, Tehatta, Nadia.

And

In the matter of: **Anjali Mistri**

....petitioner.

Ms. Minoti Gomes
Mr. Amanul Islam
Mr. Sourav Mukherjee

...for the petitioner.

Mr. Saswata Gopal Mukherji, PP
Mr. Rudradipta Nandy, APP
Mr. Subrato Roy

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioner is stated to be the mother-in-law of the deceased who admittedly has committed suicide in view of filing of charge-sheet under Section 306 IPC in the meantime. From the statement of the witnesses recorded during investigation it is found that the allegation against the present petitioner is quite omnibus in nature so far as torture and harassment regarding demand of dowry is concerned.
3. It is submitted by learned Counsel for the petitioner that on earlier two occasions she had not pressed the petition for anticipatory bail twice in CRM (A) 1688 of 2023 and CRM (A) 1920 of 2023. Present application for bail was filed just before filing of charge-sheet and in the meantime as fairly submitted at the Bar charge-sheet has been filed under Sections 498A/306/34 IPC. As the present petition was filed before the filing of charge-sheet there is no need of correction in the cause

title and other parts of the body of the petition.

4. Regard being had to facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and completion of investigation, it is directed that the petitioner shall surrender before the learned Additional Chief Judicial Magistrate, Tehatta, Nadia within 15 days from today in G.R. Case arising out of aforesaid Murutia P.S. case No. 69 of 2023. On her appearance and application for bail the petitioner shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
5. The learned Additional Chief Judicial Magistrate is directed to act upon the server copy of this order, if required.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 2497 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

